



ENVIRONMENTAL LAW & POLICY CENTER

Protecting the Midwest's Environment and Natural Heritage

MEMORANDUM

To: John Sagone, Illinois Commerce Commission Staff
Re: ICC Rulemaking Docket 12-0213
Date: May 14, 2012

Thank you for soliciting informal input from the parties regarding the 12-0213 DG Installer Certification rulemaking. **The Environmental Law & Policy Center (ELPC) and the Citizens Utility Board (CUB) believe the primary goal of the Commission in this case should be to adopt certification requirements that meet the requirements of the law without erecting unnecessary market barriers that could ultimately limit competition and raise prices for customers.** In order to determine these requirements, it is important to start with the language of the statute. The new language in Section 16-128A(a) provides that:

Within 18 months of the effective date of this amendatory Act of the 97th General Assembly, the Commission shall adopt rules, including emergency rules, establishing certification requirements ensuring that entities installing distributed generation facilities are in compliance with the requirements of subsection (a) of Section 16-128 of this Act.

The cross-referenced language at Section 16-128(a) is focused on the “reliability and safety of the electrical system” and states the General Assembly’s determination that “it is necessary to assure that [utility employees] have the requisite skills, knowledge, training, experience, and competence to provide reliable and safe electrical service under this Act.” 220 ILCS 5/16-128(a). The statute provides that “adequate demonstration” of the requisite knowledge, skill and competence “shall include” such factors such as completion of an apprenticeship program or specified years of employment within the industry. However, the statute does not require that these be the *only* adequate means of demonstrating the skills necessary to ensure safe and reliable electric service.

In light of this statutory language, we believe it is very important to avoid a “one-size-fits-all” solution to this rulemaking. The skills, knowledge and training that are “requisite” for DG installers are different than the skills necessary for other jobs in the electric utility industry. Indeed, the skills and knowledge that are necessary to safely install certain kinds of DG installations (say, a small residential rooftop PV system) are different than others (like a major utility-scale installation). Therefore, when implementing this rulemaking the Commission should focus on the relevant skills, knowledge and training that are *specific to DG installers* in various market segments within the industry.

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When developing a strawman rule, ELPC and CUB suggest the following principles:

- Do not simply import the requirements applicable to other electric utility sectors that may not be relevant or appropriate to DG installers.
- Consider incorporating a “tiered” set of requirements whereby the certification requirements to install simple DG systems (for example, “Level 1” systems under the Illinois interconnection standards) are minimal.
- Avoid certification requirements that would require *all* employees of a company to obtain expensive and potentially unnecessary training requirements. For example, if a certified supervisor “approves” the design and installation of a PV system it should not be necessary for every employee that touches a solar panel or a screwdriver to be similarly certified.
- Consider a “menu” of options for certification that incorporate existing state and local standards. For example, IBEW labor union training could be one option in this menu. Existing electrical contractor licensing requirements could be another – especially for small DG systems. The DSIRE Solar Policy Guide (Dec. 2011) describes how many states have developed a specialized solar contractor’s license as a “specialty classification” for contractors who plan to only install solar systems, but in most cases “all appropriately licensed contractors can install solar systems without the solar specialty license.” Avoid creating an additional layer of regulation or unnecessary “hoops” for DG installers to jump through.
- Consider nationwide industry standards and other appropriate state requirements when developing the Illinois rule. The DSIRE Policy Guide indicates that 12 other states and Puerto Rico currently have solar contractor licensing requirements. These requirements are summarized at the links below and in the attached legal memorandum from the Interstate Renewable Energy Council (IREC). The North American Board of Certified Energy Practitioners (NABCEP) provides a nationwide PV certification program that could be one option on the Illinois menu. The Interstate Renewable Energy Council’s ISPQ Standard, Underwriters Laboratories’ (UL) PV installer certification program, and ETA International’s renewable energy installer certifications should also be considered. There is no need to reinvent the wheel in Illinois.

State program requirements:

- DSIRE Solar Policy Guideline Report (Section 2.7)
http://dsireusa.org/solar/solarpolicyguide/SolarPolicyGuide_final.pdf
- Summary of State Contractor Licensing Requirements for Renewable Energy
<http://www.dsireusa.org/incentives/index.cfm?SearchType=License&&EE=0&RE=1>

- IREC Solar Licensing Data base
<http://www.irecusa.org/irec-programs/workforce-development/solar-licensing-database/>

National standards:

- North American Board of Certified Energy Practitioners (NABCEP)
<http://www.nabcep.org/certification/pv-installer-certification>
- Interstate Renewable Energy Council (IREC) ISPQ Standard
<http://www.irecusa.org/irec-programs/credentialing/ispq/the-ispq-standard/>
- Underwriters Laboratories' (UL) PV installer certification program
<http://lms.ulknowledgeservices.com/catalog/display.resource.aspx?resourceid=285443>
- Electronics Technicians Association (ETA International) certifications
http://www.eta-i.org/renewable_energy_certifications.html

ELPC and CUB appreciate the opportunity to provide informal input in advance of this rulemaking and we look forward to the workshop process. Please feel free to contact us at any time if you have any questions about this material.

Respectfully submitted,

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CITIZENS UTILITY BOARD